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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/509,637	06/02/2000	KALEVI AHOLA	P08581-US1	7880
27045	7590	08/07/2008		
ERICSSON INC. 6300 LEGACY DRIVE M/S EVR 1-C-11 PLANO, TX 75024			EXAMINER BORLINGHAUS, JASON M	
			ART UNIT	PAPER NUMBER
			3693	
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			08/07/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/509,637	<b>Applicant(s)</b> AHOLA, KALEVI	
	<b>Examiner</b> JASON M. BORLINGHAUS	<b>Art Unit</b> 3693	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 21-27 and 36-48 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21-27, 36-48 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/18/08 has been entered.

### ***Claim Objections***

**Claim 23** is objected to because of the following informalities: unknown terminology. Claim 23 claims "the user's A-number." Examiner assumes that the Applicant intends to claim "the user's account-number."

**Claim 38 and 46** suffer from similar objections.

**Claim 26** is objected to because of the following informalities: lack of antecedent basis. Claim 26 claims "the voucher blocking field" rather than "a voucher blocking field." Prior references claims to "voucher blocking field" in Claim 23 were deleted.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

**Claims 21 – 27 and 36 - 47** are rejected under 35 U.S.C. 103(a) as being unpatentable over Taskett (US Patent 5,991,748) in view of Wakamoto (US Patent 5,526,415).

**Regarding Claim 21**, Taskett discloses a method of paying for calls and services paying for calls and services in a telecommunications network (service provider network), utilizing a voucher database (host computer) having voucher records (prepaid account balances), the method comprising the steps of:

- recording a value (prepaid account balance) of a purchased voucher (prepaid transaction card) in the voucher database (host computer). (see col. 3, lines 46 – 54);
- wherein actual credit (prepaid account balance) on the purchased voucher (prepaid transaction card) is predefined (prepaid) in the voucher database (host computer). (see col. 3, lines 46 - 54);

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- a user using only a voucher identifier (credit card number) and a voucher secret code (expiration date) for accessing the voucher (credit card) related credit (funds) in a voucher record (account balance) in a voucher database (host computer). (see col. 1, lines 47 - 54; col. 3, lines 46 - 54);
- the user, during a call (see col. 8, lines 15 – 18), accessing a network loading service (host computer) through a user interface (calling station) operationally connected to the network. (see col. 6, lines 45 – 57);
- decreasing the value (funds) of the voucher record (transaction instrument) by a request amount. (see col. 5, lines 35 - 38; col. 7, lines 15 - 22);
- adding the request amount to an account (calling card) associated with user. (see col. 5, lines 35 – 38); and
- applying charges for the calls and services to the user account (calling card). (see col. 7, lines 53 - 59).

Taskett does not teach a method wherein the network utilizes an **Intelligent Network (IN)**; nor that the user, during a call, accessing an **IN** loading service through a user interface operationally connected to the **IN**. (emphasis added).

Wakamoto discloses that it was old and well known at the time the invention was made that telecommunication networks utilized Intelligent Networks. (see abstract).

It would have been obvious to one of ordinary skill at the time the invention was made to have modified Taskett by incorporating an Intelligent Network, as disclosed by

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Wakamoto, as Intelligent Networks allow for efficiencies in telecommunication network management.

**Regarding Claim 22**, Taskett discloses a method wherein prepaid calls and services are charged to the user account (phone card), the user account (phone card) defining the balance in the account in terms of time or money. (see col. 7, lines 45 - 65).

Taskett does not explicitly teach that the account is defined in terms of pulses. (emphasis added). However, Applicant specification (see p. 11) states that "pulses in the account [are] equal to a certain amount of money" which Examiner interprets to mean that pulses are equivalent to money, as disclosed by Taskett.

**Regarding Claims 23 - 25**, Taskett discloses a method wherein:

- the user accesses the voucher record (account balance) according to the user's A-number (credit card number). (see col. 1, lines 47 – 54);
- utilizing the loading service (host computer) for transferring all or part of the amount (funds) in the voucher record (transaction instrument) to the user account (calling card). (see col. 5, lines 35 – 38); and
- the amount of the voucher in the voucher record is used for transferring money (funds) from a monetary field in the voucher record (fields relating to transaction instrument) to the monetary field in the user account database (fields relating to transaction telephone card. (see col. 7, lines 30 – 44).

Taskett does not explicitly teach a method wherein the voucher record **is used** **only for** transferring money from the monetary field in the voucher record to the monetary field in the user account database. (emphasis added).

First, Examiner asserts that the recitation of the intended use or purpose of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use or fulfilling said purpose, then it meets the claim. Examiner asserts that Taskett is capable of fulfilling said purpose despite the intended purpose of the claimed function. *Ex parte Masham*, 2 USPQ2d 1647 (1987).

Second, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have reduced the functionality of Taskett, limiting the transfer of funds between two accounts, since it has been held that omission of an element and its function in a combination where the remaining elements perform the same functions as before involves only routine skill in the art. *In re Karlson*, 136 USPQ 184 (CCPA 1963).

**Regarding Claim 26**, Taskett does not explicitly teach a method further comprising the step of utilizing a voucher blocking field to block transferring a specified amount from the voucher record to the user account.

However, Taskett does disclose a method further comprising transferring a specified amount (\$10, \$20 or \$30) from the voucher record to the user account. (see col. 7, lines 15 - 22). Taskett further discloses that the voucher record has prepaid

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account balance, thereby limiting the amount that can be transferred from the voucher record. (see col. 3, lines 46 -55).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Taskett and Wakamoto to incorporate a voucher blocking field to block transferring a specified amount from the voucher record when insufficient funds remained in the voucher record to meet the specified transfer amount, thereby preventing an overwithdrawal.

**Regarding Claim 27**, Taskett does not explicitly teach a method wherein the user account records and the voucher database records are in a common database. However, It would have been obvious to one having ordinary skill in the art at the time the invention was made to combining the two records residing in two databases into a common database, since it has been held that forming in one piece an article which has formerly been formed in two pieces and put together involves only routine skill in the art. *Howard v. Detroit Stove Works*, 150 U.S. 164 (1893); *In re Larson, Russler & Meldahl*, 340 F.2d 965, 967, 144 USPQ 347, 349 (CCPA 1965).

**Regarding Claims 36 and 38 – 43**, such claims recite substantially similar limitations as claimed in previously rejected claims. Such claim limitations are therefore rejected using the same art and rationale as previously utilized.

**Regarding Claim 37**, Taskett discloses a point (host computer) in the network monitors calls and applies charges to the user account for covered calls or services. (see col. 7, lines 51 – 65).



Taskett does not teach a node wherein a **Service Control Point** in the **IN** monitors calls and applies charges to the user account (emphasis added).

Wakamoto discloses that it was old and well known at the time the invention was made that telecommunication networks utilized Intelligent Networks and Service Control Points. (see col. 2, line 60 – col. 3, line 7).

It would have been obvious to one of ordinary skill at the time the invention was made to have modified Taskett by incorporating an Intelligent Network and Service Control Points, as disclosed by Wakamoto, as such telecommunication components allow for efficiencies in telecommunication network management.

**Regarding Claim 44**, Taskett does not disclose that the loading request is accomplished by a mobile station.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Taskett and Wakamoto to make the station mobile, since it has been held that making an old device or movable without producing any new and unexpected result involves only routine skill in the art. *In re Lindberg*, 93 USPQ 23 (CCPA 1952).

**Regarding Claims 45 - 47**, Taskett discloses a method wherein:

- the user is prompted to load more balance by announcements to the user via the user interface. (see col. 7, line 66 – col. 8, line 11);
- identifying the user request according to the user's A-number (account code). (see col. 6, lines 58 – 67);

- receiving an identifier (credit card number) and a secret code (expiration date) associated with the voucher (credit card). (see col. 1, lines 47 - 54);
- sending the amount (\$10, \$20 or \$30) to be loaded (regenerated) to the loading service (host computer). (see col. 7, lines 15 – 22);
- sending an announcement to the user interface that the request has been accomplished and notification of the new balance (provide account balance) in the user account. (see col. 7, lines 1 – 14); and
- the announcement to the user is sent as a text message or as a voice message. (see col. 7, lines 15 – 22).

**Claim 48** is rejected under 35 U.S.C. 103(a) as being unpatentable over Taskett and Wakamoto, as applied to Claim 42 above, and further in view of Tsunokawa (US Patent 5,546,446).

**Regarding Claim 48**, Taskett discloses a method comprising the steps of setting a time limit for expiration (expiration date) of the validity of the balance of the voucher (credit card).

Taskett does not teach a method wherein expired vouchers are deleted from the record in the database.

Tsunokawa discloses a method wherein expired vouchers (card information) are deleted from the record in the database. (see abstract).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Taskett and Wakamoto by incorporating the

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deletion of expired vouchers from the database, as disclosed by Tsunokawa, thereby eliminating expired and superfluous data from the system.

### ***Response to Arguments***

Applicant's arguments filed 4/18/08 have been fully considered but they are not persuasive. Such arguments pertain to newly amended and submitted claims, and are addressed via the rejection recited above.

### ***Conclusion***

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached on (571) 272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Jason M Borlinghaus/

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